

CUSTOMER NO.: 24498
Ser. No. 10/518,580
Office Action dated: 01/24/06
Response dated: 07/19/06

PATENT
PU020294

Status of Claims

Claims 1-11 are pending.

Claims 1-6 stand rejected.

Claims 7-11 stand objected to.

Claims 2-11 have been amended, without prejudice, herein.

Claims 12-13 have been added.

Remarks/Arguments

Objections to the Specification.

The Examiner has requested Applicants to fill in the missing serial nos. on pages 1, 8 and 12 of the subject application. Applicants have amended the referenced paragraphs on pages 1, 8 and 12 to properly identify the serial number of the incorporated application (Atty. Dkt. IU020160).

Accordingly, Applicants respectfully request reconsideration and removal of these objections.

Objections to the Claims

Claims 2-6 and 8-11 stand objected to. Each of these claims has been amended consistent with the Examiner's recommendation to recite "router" instead of "apparatus" in the preamble.

Claim 2 stands further objected to. This claim has been further amended consistent with the Examiner's recommendation to recite "residing in said first chassis".

Claim 3 stands objected to. This claim has been amended consistent with the Examiner's recommendation to omit "through" in the last line.

Claim 7 stands objected to. This claim has been amended consistent with the Examiner's recommendation to recite "second chassis" instead of "first chassis".

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Claim 10 stands objected to. This claim has been amended consistent with the Examiner's recommendation to recite "first router matrix card" (two occurrences) and "first transmission expansion port".

Accordingly, Applicants respectfully request reconsideration and removal of these objections.

Allowable Subject Matter

Claims 7-11 are indicated to be allowable if rewritten to overcome the objections set forth in the present Office action. In response, claims 7-11 have been amended in accordance with the Examiner's recommendations as set forth above to overcome the objections presented in the Office action. Accordingly, allowance of Claims 7-11 is respectfully solicited.

Rejection of Claims 1-6 Pursuant to 35 U.S.C. 103(a)

Claims 1-4 stand rejected pursuant to 35 U.S.C. 103(a) as being unpatentable over Toutant (United States Patent Publication 2003/0099247) in view of Bernier (United States Patent No. 6,754,171). Claims 5 and 6 stand rejected pursuant to 35 U.S.C. 103(a) as being unpatentable over Toutant in view of Bernier, further in view of Goeldner (United States Patent No. 5,325,358). Applicants traverse these rejections for at least the following reasons.

As to Claim 1, this rejection is traversed on the grounds that a proper *prima facie* rejection under Section 103 has not been presented. To establish a *prima facie* case of obviousness, the prior art references when combined must teach or suggest all the claim limitations. Here, the references, even when combined, do not teach or suggest each limitation of Claim 1.

For example, Claim 1 recites, in part, "a master clock residing in said first chassis, said master clock coupled to said at least one clock-demanding component residing in said first chassis and to said at least one clock-demanding component residing in said second chassis." The Office action

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acknowledges that Toutant fails to teach such a master clock. *See, 1/24/2006 Office action, page 3, lines 7-12 ("Toutant does not specifically disclose a master clock residing in the first chassis, the master clock coupled to the at least one clock-demanding component, residing in the first chassis and to the at least one clock-demanding component, residing in the second chassis via the first link, the master clock supplying the at least one clock-demanding component, residing in the first chassis and the at least one clock-demanding component, residing in the second chassis with a common clock signal.")*

The Office action argues, however, the secondary reference Bernier teaches that master clock channel 1 (element 412) of Bernier equates to a master clock residing in a first chassis that equates to switch module 402 of Bernier; port 3 of network interface module (NIM) 1 and ports 1-4 of NIM 4 of Bernier equate to a clock-demanding component in the first chassis; and ports 1 and 2 of NIM 2 equate to a clock-demanding component in a second chassis that equates to switch module 404 of Bernier. *See, 1/24/2006 Office action, page 3, lines 12-21.* Applicants traverse these assertions for at least the following reasons.

A detailed reading of Bernier reveals that this reference explicitly teaches switch modules 402 and 404 reside within a common chassis 104 – and are not themselves separate first and second chassis - as recited in Claim 1. *See, e.g., col. 4 lines 12-19 ("the chassis 104 is a mechanical enclosure that includes slots that hold the network cards. The network cards 106, referred to herein as switch modules, can be independently removed from the chassis while the network device is in operation.")*.

Accordingly, as Bernier must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention (*see, e.g., W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)*), the Bernier reference, like Toutant, fails to teach the recited master clock of Claim 1. Accordingly, no combination of Toutant and Bernier is seen to teach or suggest a master clock residing in a first chassis, and coupled to at least one

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clock-demanding component residing in the first chassis and to at least one clock-demanding component residing in a second chassis.

Further, Bernier may not be properly viewed to teach the structural recitation of "a master clock" coupled to any of the ports of any of the NIMS thereof. In Bernier, the referenced element 412 is a "channel" that distributes a clock signal recovered from port 3 of NIM 1. *See, e.g., col. 6, lines 48-53 ("FIG. 4 is an example of a switch module that is configured to distribute a clock signal to different network interface modules 420 on the same switch module 402. In the example shown in FIG. 4, a source clock is recovered from port 3 of network interface module 1 on switch module 402 in slot 1 and 30 distributed on master clock channel 1, 412.")*. Accordingly, channel 412 may not be properly equated to a clock – as it is instead a channel for distributing a clock signal that is generated elsewhere. At most, Bernier teaches a single chassis in which multiple switch module cards may be inserted, where each switch module card supports multiple NIMs, with the NIMs connected to a common backplane channel for distributing an externally generated master clock signal.

Applicants note that Goeldner is not cited to cure the deficiencies discussed above in Toutant and Bernier. Further, the applied portions of Goeldner do not cure these deficiencies.

In view of the foregoing, Applicants respectfully submit the cited art fails to teach each of the limitations of Claim 1 – namely, at least "a master clock residing in said first chassis, said master clock coupled to said at least one clock-demanding component residing in said first chassis and to said at least one clock-demanding component residing in said second chassis via said first link." For at least these reasons, reconsideration and withdrawal of this 35 USC 103 rejection is respectfully requested.

Claims 2-6 each ultimately depend from patentably distinct base Claim 1. Accordingly, each of these claims is similarly allowable over the cited art at least by virtue of their dependency upon a patentably distinct base Claim 1.

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Claims 12-13 have been added, with claim 12 being independent.
Claims 12-13 are allowable over the cited art at least for reasons analogous to those discussed above with respect to claim 1.

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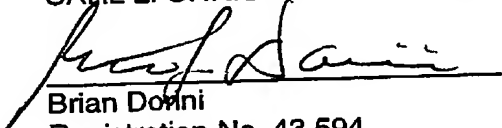
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Conclusion

Having fully addressed the Examiner's rejections and objections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. An Extension of Time Fee is included with this filing, and no further fee is believed due. However, if a further fee or credit is due, please charge the fee or credit to Deposit Account 07-0832. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at 609-734-6817, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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